

REMARKS

Applicants received the Advisory Action dated 16 February 2006 and note that the Examiner has stated that Claims 20-25 have been withdrawn from consideration as having features which raise new issues and would require further consideration and/or search.

Applicants are at a loss to understand how Claims 20-25 raise new issues when Claims 20-25 were presented in response to the Examiner's statement that Claims 6-12 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Office Action dated 16 December 2005, page 8.

The Examiner is reminded that MPEP § 714.13 requires that "[t]he refusal to enter [a] proposed amendment should not be made arbitrary. The proposed amendment should be given sufficient consideration to determine whether the claims are in condition for allowance" In response to the Office Action dated 16 December 2005, Claims 20-25 were added to rewrite allowable Claims 6-12 into independent form. That is, as required by MPEP § 714.13, Applicants made the amendments to place the claims in condition for allowance. See Applicants' amendment dated 3 February 2006, page 8. Specifically, just as the Examiner requested, Claim 20 was added as an independent claim which includes the limitations of Claim 6 and all intervening claims, namely Claims 2, 3, and 5. Further, just as the Examiner requested, Claim 23 was added as an independent claim which includes the limitations of Claim 11 and all intervening claims, namely Claims 2, 3, and 5. Thus, the amendments were made to rewrite the allowable claims into independent form. There were no new features added to the claims.

Applicants note that as required by MPEP § 714.13, Applicants presented additional claims and cancelled claims in order to place the application in condition for allowance. Note that Applicants' amendment dated 3 February 2006 added Claims 20-25 and cancelled Claims 2, 3, 5, 8, 18, and 19 as required by MPEP § 714.13.

Applicants note that the Examiner appears to be stating that Claims 20-25 added a new feature, namely "notifying the comparator of a malfunction and the comparator notifying the

multicast site controller of the malfunction.” However, the Examiner appears to be mistaken, since the exact language is in Claim 6 and the Examiner has indicated that Claim 6 is allowable. Since the Examiner has already examined such a feature and found it to be allowable, why does the Examiner now state that this language raises new issues?

In summary, Claims 20-25 were added in response to the Examiner’s request that Claims 6-12 be rewritten in independent form because the Examiner found such claims to be patentable over the prior art. As such, Claims 20-25 should be allowable as required by MPEP § 714.13 and Applicants pray that an early Notice of Allowability will issue.

Respectfully submitted,

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